

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION  
NO. 05-30052-MAP

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CARNELL GARVIN,	)
Plaintiff,	)
	)
v.	)
	)
D.A. SULLIVAN & SONS, INC.,	)
Defendant/Third-	)
Party Plaintiff,	)
CONSTRUCTION SAFETY	)
SERVICES, INC.,	)
Defendant,	)
	)
v.	)
	)
A-DECK, INC.,	)
Third-Party Defendant.	)

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**JOINT MOTION FOR A FOURTEEN DAY EXTENSION OF TIME**

All parties request that the remaining deadlines in the Scheduling Order, with the exception of the date for the pretrial conference, be extended by fourteen (14) days to accommodate the trial schedules of counsel for the plaintiff and counsel for D.A. Sullivan, and to permit the parties to mediate with the mediator that they selected. The new dates that the parties are requesting are as follows:

- (1) Deadline by which the parties must report to the court whether they have been able to successfully mediate the case - October 30, 2006

- (2) Deadline by which defendants shall designate and disclose information regarding their trial experts - December 1, 2206.
- (3) All expert depositions shall be completed by January 26, 2007. Plaintiff's experts shall be deposed first, followed within thirty days by Defendants' experts.

As grounds for their motion, the parties state that they have agreed to mediate the case on October 27, 2006. The parties could not mediate it prior to the October 16<sup>th</sup> deadline set by the Court because of the schedule of the selected mediator and because of trial conflicts of counsel for two of the parties. Specifically, counsel for the plaintiff is scheduled to start a three week trial on October 2, 2006 in Ocean County, New Jersey, in Danese v. Shelter Harbor Marina, docket No. L-2809-04. In addition, counsel for D.A. Sullivan is scheduled to start a two week trial in Brockton on October 3, 2006 in Dinatale v. Myerson, et.al., Plymouth Superior Court, Civil Action No. 01-0622A.

The parties state that it is in the interests of justice to have their motion allowed.

WHEREFORE, the parties jointly request that their motion be allowed.

CARNELL GARVIN  
By his attorney,

A-DECK, INC.  
By its attorney,

/s/ Andrew R. Duffy

/s/ David M. O'Connor

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Andrew R. Duffy  
SALTZ, MONGELUZZI,  
BARRETT & BENDESKY, P.C.  
One Liberty Place  
52<sup>nd</sup> Floor  
1650 Market Street  
Philadelphia, PA 19103  
(215) 496-8282

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David M. O'Connor  
BBO No. 544166  
O'CONNOR & ASSOCIATES, LLC  
100 State Street, 4<sup>th</sup> Floor  
Boston, MA 02109  
(617) 723-7201

D.A. SULLIVAN & SONS  
By its attorney,

CONSTRUCTION SAFETY SERVICES  
By its attorneys,

/s/ Scott J. Tucker

/s/ Kathleen M. Guilfoyle

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Scott J. Tucker  
BBO NO. 503940  
TUCKER, HEIFETZ  
& SALTZMAN, LLP  
Three School Street  
Boston, MA 02108  
(617) 557-9696

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James M. Campbell  
BBO NO. 541882  
Kathleen M. Guilfoyle  
BBO No. 546412  
CAMPBELL CAMPBELL EDWARDS &  
CONROY, P.C.  
One Constitution Plaza, 3<sup>rd</sup> Floor  
Boston, MA 02129  
617) 241-3000

Dated: September 8, 2006